

complex correlates with the presence of a polynucleotide encoding PANEC-1 in said biological sample.

39. A method for detecting a polynucleotide which encodes PANEC-2 in a biological sample comprising the steps of:

- a) hybridizing the nucleotide sequence of claim 37 to nucleic acid material of a biological sample, thereby forming a hybridization complex; and
- b) detecting said hybridization complex, wherein the presence of said complex correlates with the presence of a polynucleotide encoding PANEC-2 in said biological sample.

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cancel*

REMARKS

Claims 1, 5, 6, 13, 17, 18, 25, 26 and 36-39 are pending in the application. Claims 1, 5, 6, 13, 17, 18, 25 and 26 have been allowed by the Examiner. Applicants thank the Examiner for allowing these claims. Claims 2, 3, 14, 15, and 27-33 have been canceled. New claims 36-39 have been added to clarify the claimed invention. Support for new claims 36-39 is found on pages 9-11 of the specification. No new matter has been added by way of these amendments. For the convenience of the Examiner, pending claims, which have not been amended, have been reiterated in this amendment.

The invention relates to polynucleotides which encode new chemokines of the C-C family, PANEC-1 and PANEC-2. The invention also relates to expression vectors and host cells comprising the claimed polynucleotides. Finally, the invention relates to nucleotide sequences which are capable of hybridizing to the polynucleotides encoding PANEC-1 and PANEC-2 and methods for using these nucleotide sequences to detect polynucleotides encoding PANEC-1 and PANEC-2.

The Objections to the Specification Under 35 USC §112, first paragraph

The specification is objected to under 35 USC §112, first paragraph, as failing to provide

an enabling disclosure. In particular, the Examiner states that the specification does not enable a diagnostic test for activated or inflammatory conditions of the pancreas, and specifically for a diagnostic test for pancreatitis which employs PANEC-1 and PANEC-2 nucleic acid probes.

Applicants have canceled claims 2, 3, 14, 15, and 27-33 and replaced them with new claims 36-39. New claims 36-39 are directed to nucleotide sequences which are capable of hybridizing to the polynucleotides encoding PANEC-1 and PANEC-2 and methods for using these nucleotide sequences to detect polynucleotides encoding PANEC-1 and PANEC-2. Applicants submit that the claims are fully enabled by the specification and in particular, pages 9-11. Therefore, the objections to the specification under 35 USC §112, first paragraph, may be properly withdrawn.

The Rejection of Claims 2, 3, 14, 15, 27-33 Under 35 USC §112, first paragraph

Claims 2, 3, 14, 15, 27-33 are rejected under 35 USC §112, first paragraph for the reasons set forth in the objections to the specification. Applicants submit that cancellation of these claims and replacement thereof by new claims 36-39 obviates this rejection. Therefore, the rejection may be properly withdrawn.

The Rejection of Claims 27-33 under 35 USC §112, second paragraph

Claims 27-33 are rejected under 35 USC §112, second paragraph as being indefinite. In particular, the Examiner states that in claim 27, the phrases "a fragment thereof" and "complementary" are indefinite. The Examiner also states that in claim 27, the phrase "a standard" is unclear. Finally, the Examiner states that in claim 31, the phrase "wherein said primers comprise fragments" is unclear.

Applicants have canceled claims 27-33 and replaced them with new claims 36-39. The new claims do not contain the phrases indicated above. Therefore, the rejection of the claims under 35 USC §112, second paragraph may be properly withdrawn.

CONCLUSION

In light of the amendments above, Applicants request that the Examiner withdraw the rejections under 37 USC §112, first and second paragraphs.

Applicants submit that the application is fully in condition for allowance. Early notice to that effect is earnestly solicited.

If, in the opinion of the Examiner, a telephone conference would expedite allowance of the claims, Applicants invite the Examiner to contact the undersigned Attorney of Record at (415) 845-4170.

Respectfully submitted,

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